**U.S. Department of Justice**

Office of Justice Programs

*Bureau of Justice Statistics*

Bureau of Justice Statistics **· Statistical Tables**

BJS

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**A**t yearend 2010, 36 states and the Federal

Bureau of Prisons held 3,158 inmates under

sentence of death, 15 fewer inmates than at

yearend 2009. This represents the tenth consecutive

year that the number of inmates under sentence of

death has decreased.

Four States (California, Florida, Texas, and

Pennsylvania) held more than half of all inmates

on death row as of December 31, 2010. The Federal

Bureau of Prisons held 58 inmates on death row.

Of those under sentence of death at yearend, 55% were

white and 42% were black. The 388 Hispanic inmates

under sentence of death accounted for 14% of inmates

with a known ethnicity. Ninety-eight percent of inmates

under sentence of death were male, and 2% were female.

The race and gender of those under sentence of death

has remained relatively unchanged since 2000.

During 2010, 119 inmates were removed from under

sentence: 46 were executed, 20 died by means other

than execution, and 53 were removed as a result of

sentences or convictions overturned or commutations

of sentences. A total of 104 inmates were received

under sentence of death during 2010, representing the

smallest number of admissions since 1973 when 44

persons were admitted.

During 2010, 22 states and the Federal Bureau of

Prisons received 104 prisoners under sentence of

death. Admissions in California (24), Florida (14),

Arizona (9), and Texas (8) accounted for 53% of those

sentenced to death in 2010.

Twelve states executed 46 inmates during 2010, 6 fewer

inmates than in 2009. The inmates executed in 2010

had been under sentence of death an average of 14

years and 10 months, which was 9 months longer than

those executed in 2009.

Of the 7,879 people under sentence of death between

1977 and 2010, 16% had been executed, 6% died by

causes other than execution, and 39% received other

dispositions.\*

**Capital Punishment, 2010 –**

**Statistical Tables**

Tracy L. Snell, *BJS Statistician*

\*Following the U.S. Supreme Court’s approval of revised

statutes in some states (*Gregg v. Georgia*), executions of

inmates resumed in 1977.

Figure 2

**Number of persons under sentence of death,**

**1953–2010**

0

1,000

2,000

3,000

4,000

1953 1960 1970 1980 1990 2000 2010

Number

Source: BJS, National Prisoner Statistics Program.

Figure 1

**Number of persons executed in the United States,**

**1930–2010**

0

50

100

150

200

1930 1940 1950 1960 1970 1980 1990 2000 2010

Executions

Source: BJS, National Prisoner Statistics Program.

2 Capital Punishment, 2010 - Statistical Tables

**Four states revised capital statutes in 2010**

At yearend 2010, the death penalty was authorized by 36

states and the federal government (table 1). While New

Mexico repealed the death penalty in 2009 (Laws 2009, ch.

11 § 5), the repeal was not retroactive. As of December 31,

2010, New Mexico held two men under previously imposed

death sentences, and one person was awaiting sentencing

with the state seeking the death penalty.

During 2010, four states revised statutory provisions relating

to the death penalty:

**South Carolina**—Amended the list of aggravating factors

to include murder committed while in the commission of

trafficking in persons (§ 16-3-20(c)(a)(1)(c)), effective June

11, 2010.

**Tennessee**—Added as an aggravating circumstance the

intentional murder of a pregnant woman when it was known

by the defendant that the victim was pregnant (Tenn. Code

Ann § 39-13-204(i)(16)), effective July 1, 2010.

**Utah**—Revised the minimum sentence required in capital

felony cases in which the jury does not reach a unanimous

decision to impose a death sentence. The minimum sentence

was increased from an indeterminate sentence of 20 years

to life to an indeterminate sentence of 25 years to life (Utah

Code Ann § 76-3-207 and § 76-5-202), effective May 11,

2010.

**Virginia**—Revised the definition of capital murder to

include fire marshals, auxiliary police officers, and auxiliary

deputy sheriffs among law enforcement officers killed while

performing official duties (Va Code § 18.2-31(6)), effective

July 1, 2010.

**Lethal injection was authorized by all states with**

**capital statutes**

As of December 31, 2010, all 36 states with death penalty

statutes authorized lethal injection as a method of execution

(table 2).

In addition to lethal injection, 16 states authorized an

alternative method of execution. Nine states authorized

electrocution; three states, lethal gas; three states, hanging;

and two states, firing squad.

For states that authorize multiple methods of execution, the

method is generally selected by the condemned prisoner.

Five of the 16 states stipulated which method must be used

depending on either the date of the offense or sentencing.

One state authorized hanging only if lethal injection could

not be given. Five states authorized alternative methods

if lethal injection is ruled to be unconstitutional: one

authorized hanging, one state authorized electrocution, one

authorized electrocution or firing squad, one authorized

firing squad, and one authorized lethal gas.

The method of execution of federal prisoners is lethal

injection, pursuant to 28 CFR, Part 26. For offenses under

the Violent Crime Control and Law Enforcement Act of

1994, the method is that of the state in which the conviction

took place (18 U.S.C. 3596).

Executions in 2011

Between January 1 and December 19, 2011, 13 states

executed 43 inmates, which was 3 fewer than the number

executed as of the same date in 2010.

Three states accounted for more than half of the

executions carried out during this period: Texas executed

13 inmates; Alabama executed 6; and Ohio executed 5.

Of the 43 executions carried out during this period, all

were by lethal injection.

No women were executed during this period.

0 10 20 30 40 50

Total

Texas

Alabama

Ohio

Georgia

Arizona

Florida

Mississippi

Oklahoma

Missouri

Delaware

South Carolina

Virginia

Idaho

43

13

11111

222

44

5

6

Number of executions

Figure 3

**Advance count of executions, January 1, 2011–December**

**19, 2011**

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Methodology

Capital punishment information is collected annually as part

of the National Prisoner Statistics program (NPS-8). This

data series is collected in two parts: data on persons under

sentence of death are obtained from the department of

corrections in each jurisdiction currently authorizing capital

punishment, and information on the status of death penalty

statutes is obtained from the Office of the Attorney General

in each of the 50 states, the District of Columbia, and the

federal government. Data collection forms are available on

the BJS website at www.bjs.gov.

NPS-8 covers all persons under sentence of death at any

time during the year who were held in a state or federal

nonmilitary correctional facility. Included are capital

offenders transferred from prison to mental hospitals and

those who may have escaped from custody. Excluded are

persons whose death sentences have been overturned by the

court, regardless of their current incarceration status.

The statistics reported in this report may differ from data

collected by other organizations for a variety of reasons: (1)

NPS-8 adds inmates to the population under sentence of

death not at sentencing but at the time they are admitted to

a state or federal correctional facility; (2) if inmates entered

prison under a death sentence or were reported as being

relieved of a death sentence in one year but the court had

acted in the previous year, the counts are adjusted to reflect

the dates of court decisions (See note on table 4 for the

affected jurisdictions.); and (3) NPS-8 counts are always for

the last day of the calendar year and will differ from counts

for more recent periods.

All data in this report have been reviewed for accuracy by

the data providers in each jurisdiction prior to publication.

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**2010 Statistical Tables**

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Table 2. Method of execution, by state, 2010

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Table 13. Executions and other dispositions of inmates sentenced to death, by race and Hispanic origin, 1977-2010

Table 14. Prisoners sentenced to death and outcome of sentence, by year of sentencing, 1973-2010

Table 15. Number sentenced to death and number of removals, by jurisdiction and reason for removal, 1973-2010

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Table 1

**Capital offenses, by state, 2010**

State Offense State Offense

Alabama Intentional murder with 18 aggravating factors (Ala.

Stat. Ann. 13A-5-40(a)(1)-(18)).

Montana Capital murder with 1 of 9 aggravating circumstances

(Mont. Code Ann. § 46-18-303); aggravated sexual

intercourse without consent (Mont. Code Ann. § 45-5-

503).

Arizona First-degree murder, including pre-meditated murder

and felony murder, accompanied by at least 1 of 14

aggravating factors (A.R.S. § 13-703(F)).

Nebraska First-degree murder with a finding of at least 1

statutorily-defined aggravating circumstance.

Arkansas Capital murder (Ark. Code Ann. 5-10-101) with a finding

of at least 1 of 10 aggravating circumstances; treason.

Nevada First-degree murder with at least 1 of 15 aggravating

circumstances (NRS 200.030, 200.033, 200.035).

California First-degree murder with special circumstances;

sabotage; train wrecking causing death; treason; perjury

causing execution of an innocent person; fatal assault

by a prisoner serving a life sentence.

New Hampshire Murder committed in the course of rape, kidnapping,

or drug crimes; killing of a police officer, judge, or

prosecutor; murder for hire; murder by an inmate while

serving a sentence of life without parole (RSA 630:1,

RSA 630:5).

Colorado First-degree murder with at least 1 of 17 aggravating

factors; first-degree kidnapping resulting in death;

treason.

New York\* First-degree murder with 1 of 13 aggravating factors

(NY Penal Law §125.27).

Connecticut Capital felony with 8 forms of aggravated homicide

(C.G.S. § 53a-54b).

North Carolina First-degree murder (NCGS §14-17).

Delaware First-degree murder (11 Del. C. § 636) with at least 1

statutory aggravating circumstance (11 Del. C. § 4209).

Ohio Aggravated murder with at least 1 of 10 aggravating

circumstances (O.R.C. secs. 2903.01, 2929.02, and

2929.04).

Florida First-degree murder; felony murder; capital drug

trafficking; capital sexual battery.

Oklahoma First-degree murder in conjunction with a finding

of at least 1 of 8 statutorily-defined aggravating

circumstances.

Georgia Murder; kidnapping with bodily injury or ransom when

the victim dies; aircraft hijacking; treason.

Oregon Aggravated murder (ORS 163.095-150).

Idaho First-degree murder with aggravating factors; firstdegree

kidnapping; perjury resulting in death.

Pennsylvania First-degree murder with 18 aggravating

circumstances.

Illinois First-degree murder with 1 of 21 aggravating

circumstances (720 ILCS 5/9-1).

South Carolina Murder with 1 of 12 aggravating circumstances (§ 16-

3-20(C)(a)).

Indiana Murder with 16 aggravating circumstances (IC 35-50-

2-9).

South Dakota First-degree murder with 1 of 10 aggravating

circumstances.

Kansas Capital murder with 8 aggravating circumstances (KSA

21-3439, KSA 21-4625, KSA 21-4636).

Tennessee First-degree murder with 1 of 16 aggravating

circumstances (Tenn. Code Ann. § 39-13-204).

Kentucky Murder with aggravating factors; kidnapping with

aggravating factors (KRS 532.025).

Texas Criminal homicide with 1 of 9 aggravating

circumstances (Tex. Penal Code § 19.03).

Louisiana First-degree murder; treason (La. R.S. 14:30 and 14:113). Utah Aggravated murder (76-5-202, Utah Code Annotated).

Maryland First-degree murder, either premeditated or during the

commission of a felony, provided that certain death

eligibility requirements are satisfied.

Virginia First-degree murder with 1 of 15 aggravating

circumstances (VA Code § 18.2-31).

Mississippi Capital murder (Miss. Code Ann. § 97-3-19(2)); aircraft

piracy (Miss. Code Ann. § 97-25-55(1)).

Washington Aggravated first-degree murder.

Missouri First-degree murder (565.020 RSMO 2000). Wyoming First-degree murder; murder during the commission of

sexual assault, sexual abuse of a minor, arson, robbery,

burglary, escape, resisting arrest, kidnapping, or abuse

of a minor under 16 (W.S.A. § 6-2-101(a)).

\*The New York Court of Appeals has held that a portion of New York’s death penalty sentencing statute (CPL 400.27) was unconstitutional (*People v. Taylor*, 9 N.Y.3d 129

(2007)). As a result, no defendants can be sentenced to death until the legislature corrects the errors in this statute.

Source: BJS, National Prisoner Statistics Program.

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Table 2

**Method of execution, by state, 2010**

Jurisdiction Lethal injection Electrocution Lethal gas Hanging Firing squad

Total 36 9 3 3 2

Alabama X X

Arizonaa X X

Arkansasb X X

California X

Colorado X

Connecticut X

Delawarec X X

Florida X X

Georgia X

Idaho X

Illinoisd X X

Indiana X

Kansas X

Kentuckye X X

Louisiana X

Maryland X

Mississippi X

Missouri X X

Montana X

Nebraska X

Nevada X

New Hampshiref X X

New York X

North Carolina X

Ohio X

Oklahomag X X X

Oregon X

Pennsylvania X

South Carolina X X

South Dakota X

Tennesseeh X X

Texas X

Utahi X X

Virginia X X

Washington X X

Wyoming X X

Note: The method of execution of federal prisoners is lethal injection, pursuant to 28 CFR, Part 26. For offenses prosecuted under the Violent

Crime Control and Law Enforcement Act of 1994, the execution method is that of the state in which the conviction took place (18 U.S.C. 3596).

aAuthorizes lethal injection for persons sentenced after November 15, 1992; inmates sentenced before that date may select lethal injection or

gas.

bAuthorizes lethal injection for those whose offense occurred on or after July 4, 1983; inmates whose offense occurred before that date may

select lethal injection or electrocution.

cAuthorizes hanging if lethal injection is held to be unconstitutional by a court of competent jurisdiction.

dAuthorizes electrocution only if lethal injection is held illegal or unconstitutional.

eAuthorizes lethal injection for persons sentenced on or after March 31, 1998; inmates sentenced before that date may select lethal injection or

electrocution.

fAuthorizes hanging only if lethal injection cannot be given.

gAuthorizes electrocution if lethal injection is held to be unconstitutional, and firing squad if both lethal injection and electrocution are held to

be unconstitutional.

hAuthorizes lethal injection for those whose capital offense occurred after December 31, 1998; inmates whose offense occurred before that date

may select electrocution by written waiver.

iAuthorizes firing squad if lethal injection is held unconstitutional. Inmates who selected execution by firing squad prior to May 3, 2004, may still

be entitled to execution by that method.

jAuthorizes lethal gas if lethal injection is held to be unconstitutional.

Source: BJS, National Prisoner Statistics Program.

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Table 3

**Federal capital offenses, 2010**

Statute Description

8 U.S.C. 1342 Murder related to the smuggling of aliens.

18 U.S.C. 32-34 Destruction of aircraft, motor vehicles, or related facilities resulting in death.

18 U.S.C. 36 Murder committed during a drug-related drive-by shooting.

18 U.S.C. 37 Murder committed at an airport serving international civil aviation.

18 U.S.C. 115(b)(3) [by crossreference

to 18 U.S.C. 1111]

Retaliatory murder of a member of the immediate family of law enforcement officials.

18 U.S.C. 241, 242, 245, 247 Civil rights offenses resulting in death.

18 U.S.C. 351 [by crossreference

to 18 U.S.C. 1111]

Murder of a member of Congress, an important executive official, or a Supreme Court Justice.

18 U.S.C. 794 Espionage.

18 U.S.C. 844(d), (f), (i) Death resulting from offenses involving transportation of explosives, destruction of government property, or

destruction of property related to foreign or interstate commerce.

18 U.S.C. 924(i) Murder committed by the use of a firearm during a crime of violence or a drug-trafficking crime.

18 U.S.C. 930 Murder committed in a federal government facility.

18 U.S.C. 1091 Genocide.

18 U.S.C. 1111 First-degree murder.

18 U.S.C. 1114 Murder of a federal judge or law enforcement official.

18 U.S.C. 1116 Murder of a foreign official.

18 U.S.C. 1118 Murder by a federal prisoner.

18 U.S.C. 1119 Murder of a U.S. national in a foreign country.

18 U.S.C. 1120 Murder by an escaped federal prisoner already sentenced to life imprisonment.

18 U.S.C. 1121 Murder of a state or local law enforcement official or other person aiding in a federal investigation; murder of a

state correctional officer.

18 U.S.C. 1201 Murder during a kidnapping.

18 U.S.C. 1203 Murder during a hostage taking.

18 U.S.C. 1503 Murder of a court officer or juror.

18 U.S.C. 1512 Murder with the intent of preventing testimony by a witness, victim, or informant.

18 U.S.C. 1513 Retaliatory murder of a witness, victim, or informant.

18 U.S.C. 1716 Mailing of injurious articles with intent to kill or resulting in death.

18 U.S.C. 1751 [by crossreference

to 18 U.S.C. 1111]

Assassination or kidnapping resulting in the death of the President or Vice President.

18 U.S.C. 1958 Murder for hire.

18 U.S.C. 1959 Murder involved in a racketeering offense.

18 U.S.C. 1992 Willful wrecking of a train resulting in death.

18 U.S.C. 2113 Bank robbery-related murder or kidnapping.

18 U.S.C. 2119 Murder related to a carjacking.

18 U.S.C. 2245 Murder related to rape or child molestation.

18 U.S.C. 2251 Murder related to sexual exploitation of children.

18 U.S.C. 2280 Murder committed during an offense against maritime navigation.

18 U.S.C. 2281 Murder committed during an offense against a maritime fixed platform.

18 U.S.C. 2332 Terrorist murder of a U.S. national in another country.

18 U.S.C. 2332a Murder by the use of a weapon of mass destruction.

18 U.S.C. 2340 Murder involving torture.

18 U.S.C. 2381 Treason.

21 U.S.C. 848(e) Murder related to a continuing criminal enterprise or related murder of a federal, state, or local law

enforcement officer.

49 U.S.C. 1472-1473 Death resulting from aircraft hijacking.

8 Capital Punishment, 2010 - Statistical Tables

Table 4

**Prisoners under sentence of death, by region, jurisdiction, and race, 2009 and 2010**

Region and jurisdiction

Prisoners under

sentence of death,

12/31/09

Received under

sentence of death,

2010

Removed from death

row (excluding

executions), 2010a Executed, 2010

Prisoners under

sentence of death,

12/31/10

Totalb Whitec Blackc Totalb Whitec Blackc Totalb Whitec Blackc Totalb Whitec Blackc Totalb Whitec Blackc

U.S. total 3,173 1,779 1,318 104 45 42 73 41 31 46 33 13 3,158 1,750 1,316

Federald 56 26 29 3 3 0 1 0 1 0 0 0 58 29 28

State 3,117 1,753 1,289 101 42 42 72 41 30 46 33 13 3,100 1,721 1,288

Northeast 229 84 136 3 1 2 6 3 3 0 0 0 226 82 135

Connecticut 10 4 6 1 1 0 1 1 0 0 0 0 10 4 6

New Hampshire 1 0 1 0 0 0 0 0 0 0 0 0 1 0 1

New York 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0

Pennsylvania 218 80 129 2 0 2 5 2 3 0 0 0 215 78 128

Midwest 265 142 120 9 3 5 10 3 7 8 3 5 256 139 113

Illinois 14 10 4 1 1 0 0 0 0 0 0 0 15 11 4

Indiana 13 10 3 0 0 0 0 0 0 0 0 0 13 10 3

Kansas 9 5 4 0 0 0 1 0 1 0 0 0 8 5 3

Missouri 51 29 22 0 0 0 2 1 1 0 0 0 49 28 21

Nebraska 11 8 2 1 0 0 0 0 0 0 0 0 12 8 2

Ohio 165 78 85 7 2 5 7 2 5 8 3 5 157 75 80

South Dakota 2 2 0 0 0 0 0 0 0 0 0 0 2 2 0

South 1,661 912 726 45 21 22 41 22 18 35 27 8 1,630 884 722

Alabama 202 103 98 7 4 3 3 1 2 5 4 1 201 102 98

Arkansas 42 18 24 1 0 0 1 1 0 0 0 0 42 17 24

Delaware 17 9 8 0 0 0 0 0 0 0 0 0 17 9 8

Florida 390 256 134 14 6 8 11 8 3 1 1 0 392 253 139

Georgia 104 54 49 0 0 0 2 0 1 2 2 0 100 52 48

Kentucky 35 29 6 2 1 1 3 1 2 0 0 0 34 29 5

Louisiana 83 29 53 2 1 1 0 0 0 1 1 0 84 29 54

Maryland 5 1 4 0 0 0 0 0 0 0 0 0 5 1 4

Mississippi 60 28 31 4 2 2 1 1 0 3 3 0 60 26 33

North Carolina 159 65 86 4 3 1 5 2 3 0 0 0 158 66 84

Oklahoma 77 42 31 0 0 0 3 3 0 3 2 1 71 37 30

South Carolina 55 25 30 2 0 2 1 1 0 0 0 0 56 24 32

Tennessee 89 49 38 1 1 0 4 1 3 0 0 0 86 49 35

Texas 330 198 127 8 3 4 6 3 3 17 12 5 315 186 123

Virginia 13 6 7 0 0 0 1 0 1 3 2 1 9 4 5

West 962 615 307 44 17 13 15 13 2 3 3 0 988 616 318

Arizona 130 108 17 9 2 3 5 5 0 1 1 0 133 104 20

California 683 401 250 24 8 7 8 6 2 0 0 0 699 403 255

Colorado 2 0 2 1 0 1 0 0 0 0 0 0 3 0 3

Idaho 15 15 0 2 2 0 1 1 0 0 0 0 16 16 0

Montana 2 2 0 0 0 0 0 0 0 0 0 0 2 2 0

Nevada 78 46 31 4 3 1 1 1 0 0 0 0 81 48 32

New Mexico 2 2 0 0 0 0 0 0 0 0 0 0 2 2 0

Oregon 31 27 3 3 1 1 0 0 0 0 0 0 34 28 4

Utah 10 8 1 0 0 0 0 0 0 1 1 0 9 7 1

Washington 8 5 3 1 1 0 0 0 0 1 1 0 8 5 3

Wyoming 1 1 0 0 0 0 0 0 0 0 0 0 1 1 0

Note: Some figures shown for yearend 2009 are revised from those reported in *Capital Punishment, 2009 - Statistical Tables*, BJS Web, NCJ 231676. The revised figures include

11 inmates who were either reported late to the National Prisoner Statistics program or were not in custody of state correctional authorities on December 31, 2009 (3

in Georgia, 2 in Arkansas, and 1 each in Alabama, Florida, Texas, Idaho, Nevada, and the Federal Bureau of Prisons) and exclude 11 inmates who were relieved of a death

sentence before December 31, 2009 (3 in Nevada; 2 each in Illinois, Oklahoma, and Texas; and 1 each in Indiana, Florida, North Carolina, Arizona, and California). Data for

December 31, 2009, also include 3 inmates who were erroneously reported as being removed from under sentence of death (1 each in Alabama, Florida, and North Carolina).

aIncludes 15 deaths from natural causes (5 in Florida; 2 each in Pennsylvania, Texas, and California; and 1 each in Oklahoma, South Carolina, Tennessee, and Arizona), 4 deaths

from suicide (1 each in Georgia, Texas, Arizona, and California), and 1 death from a drug overdose (California).

bIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, other Pacific Islanders, and Hispanic inmates for whom no other race was identified.

cThe reporting of race and Hispanic origin differs from that presented in other tables in this document. In this table, counts of white and black inmates include persons of

Hispanic/Latino origin.

dExcludes persons held under Armed Forces jurisdiction with a military death sentence for murder.

Source: BJS, National Prisoner Statistics Program.

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Table 5

**Women under sentence of death, by region, jurisdiction, and race, 2009 and 2010**

Region and jurisdiction

Under sentence of

death, 12/31/09

Received under

sentence of death,

2010

Removed from

death row, 2010 Executed, 2010

Under sentence of

death, 12/31/10

Totala Whiteb Blackb Totala Whiteb Blackb Totala Whiteb Blackb Totala Whiteb Blackb Totala Whiteb Blackb

U.S. total 60 42 15 3 2 0 4 3 1 1 1 0 58 40 14

Federal 2 2 0 0 0 0 0 0 0 0 0 0 2 2 0

State 58 40 15 3 2 0 4 3 1 1 1 0 56 38 14

Northeast 5 2 3 0 0 0 1 1 0 0 0 0 4 1 3

Pennsylvania 5 2 3 0 0 0 1 1 0 0 0 0 4 1 3

Midwest 2 1 1 0 0 0 0 0 0 0 0 0 2 1 1

Indiana 1 0 1 0 0 0 0 0 0 0 0 0 1 0 1

Ohio 1 1 0 0 0 0 0 0 0 0 0 0 1 1 0

South 32 22 9 1 1 0 3 2 1 1 1 0 29 20 8

Alabama 5 3 2 0 0 0 1 0 1 0 0 0 4 3 1

Florida 1 1 0 0 0 0 0 0 0 0 0 0 1 1 0

Georgia 1 1 0 0 0 0 0 0 0 0 0 0 1 1 0

Kentucky 1 1 0 0 0 0 0 0 0 0 0 0 1 1 0

Louisiana 2 1 1 0 0 0 0 0 0 0 0 0 2 1 1

Mississippi 3 3 0 0 0 0 1 1 0 0 0 0 2 2 0

North Carolina 5 2 2 0 0 0 0 0 0 0 0 0 5 2 2

Oklahoma 1 1 0 0 0 0 0 0 0 0 0 0 1 1 0

Tennessee 2 2 0 0 0 0 1 1 0 0 0 0 1 1 0

Texas 10 6 4 1 1 0 0 0 0 0 0 0 11 7 4

Virginia 1 1 0 0 0 0 0 0 0 1 1 0 0 0 0

West 19 15 2 2 1 0 0 0 0 0 0 0 21 16 2

Arizona 2 2 0 0 0 0 0 0 0 0 0 0 2 2 0

California 16 12 2 2 1 0 0 0 0 0 0 0 18 13 2

Idaho 1 1 0 0 0 0 0 0 0 0 0 0 1 1 0

aIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, other Pacific Islanders, and Hispanic inmates for whom no other race was identified.

bThe reporting of race and Hispanic origin differs from that presented in other tables in this document. In this table, counts of white and black inmates include persons of

Hispanic/Latino origin.

Source: BJS, National Prisoner Statistics Program.

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Table 6

**Hispanics under sentence of death, by region and jurisdiction, 2009 and 2010**

Region and jurisdiction

Under sentence

of death, 12/31/09

Received under

sentence of

death, 2010

Removed from death

row (excluding

executions), 2010 Executed, 2010

Under sentence

of death, 12/31/10

U.S. total 376 22 5 5 388

Federal 6 2 0 0 8

State 370 20 5 5 380

Northeast 21 0 0 0 21

Connecticut 1 0 0 0 1

Pennsylvania 20 0 0 0 20

Midwest 9 1 0 0 10

Illinois 2 0 0 0 2

Nebraska 4 1 0 0 5

Ohio 3 0 0 0 3

South 148 2 2 5 143

Alabama 2 0 0 0 2

Arkansas 0 1 0 0 1

Delaware 2 0 0 0 2

Florida 32 0 0 0 32

Georgia 2 0 0 0 2

Kentucky 1 0 0 0 1

Louisiana 2 0 0 0 2

North Carolina 4 0 0 0 4

Oklahoma 2 0 0 0 2

South Carolina 1 0 0 0 1

Tennessee 1 0 0 0 1

Texas 99 1 2 5 93

West 192 17 3 0 206

Arizona 20 6 0 0 26

California 157 10 3 0 164

Idaho 1 0 0 0 1

Nevada 8 0 0 0 8

New Mexico 1 0 0 0 1

Oregon 2 1 0 0 3

Utah 3 0 0 0 3

Note: The count of Hispanics under sentence of death at yearend 2009 has been revised from those reported in *Capital Punishment, 2009 - Statistical Tables*,

BJS Web, NCJ 231676.

Source: BJS, National Prisoner Statistics Program.

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Table 7

**Inmates removed from under sentence of death, by method of removal, 2010**

Appeals or higher courts overturned

Region and jurisdiction Total Execution Other death Capital statute Conviction Sentence Sentence commuted

U.S. total 119 46 20 2 8 38 5

Federal 1 0 0 0 0 1 0

State 118 46 20 2 8 37 5

Northeast 6 0 2 0 1 3 0

Connecticut 1 0 0 0 0 1 0

Pennsylvania 5 0 2 0 1 2 0

Midwest 18 8 0 0 0 7 3

Kansas 1 0 0 0 0 1 0

Missouri 2 0 0 0 0 2 0

Ohio 15 8 0 0 0 4 3

South 76 35 12 0 7 20 2

Alabama 8 5 0 0 0 3 0

Arkansas 1 0 0 0 0 1 0

Florida 12 1 5 0 4 2 0

Georgia 4 2 1 0 0 1 0

Kentucky 3 0 0 0 0 3 0

Louisiana 1 1 0 0 0 0 0

Mississippi 4 3 0 0 0 1 0

North Carolina 5 0 0 0 1 4 0

Oklahoma 6 3 1 0 1 0 1

South Carolina 1 0 1 0 0 0 0

Tennessee 4 0 1 0 1 1 1

Texas 23 17 3 0 0 3 0

Virginia 4 3 0 0 0 1 0

West 18 3 6 2 0 7 0

Arizona 6 1 2 0 0 3 0

California 8 0 4 0 0 4 0

Idaho 1 0 0 1 0 0 0

Nevada 1 0 0 1 0 0 0

Utah 1 1 0 0 0 0 0

Washington 1 1 0 0 0 0 0

Source: BJS, National Prisoner Statistics Program.

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Table 8

**Average time between sentencing and execution, 1977–2010**

Year

Number

of inmates

executed

Average elapsed time

from sentence to

execution for all inmates

Total 1,234 131mo.

1977 1 :

1979 2 :

1981 1 :

1982 2 :

1983 5 :

1984 21 74

1985 18 71

1986 18 87

1987 25 86

1988 11 80

1989 16 95

1990 23 95

1991 14 116

1992 31 114

1993 38 113

1994 31 122

1995 56 134

1996 45 125

1997 74 133

1998 68 130

1999 98 143

2000 85 137

2001 66 142

2002 71 127

2003 65 131

2004 59 132

2005 60 147

2006 53 145

2007 42 153

2008 37 139

2009 52 169

2010 46 178

Note: In 1972, the U.S. Supreme Court invalidated capital punishment statutes

in several states (*Furman v. Georgia*, 408 U.S. 238 (1972)), effecting a moratorium

on executions. Executions resumed in 1977 when the Supreme Court found that

revisions to several state statutes had effectively addressed the issues previously

held unconstitutional (*Gregg v. Georgia*, 428 U.S. 153 (1976) and its companion

cases). Average time was calculated from the most recent sentencing date.

: Not calculated. A reliable average could not be generated from fewer than 10

cases.

Source: BJS, National Prisoner Statistics Program.

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Table 9

**Number of inmates executed, by race, 1977–2010**

Year of execution All executions Whitea Blacka Hispanic All other racesa,b

Total 1,234 700 424 96 14

1977 1 1 0 0 0

1979 2 2 0 0 0

1981 1 1 0 0 0

1982 2 1 1 0 0

1983 5 4 1 0 0

1984 21 13 8 0 0

1985 18 9 7 2 0

1986 18 9 7 2 0

1987 25 11 11 3 0

1988 11 6 5 0 0

1989 16 6 8 2 0

1990 23 16 7 0 0

1991 14 6 7 1 0

1992 31 17 11 2 1

1993 38 19 14 4 1

1994 31 19 11 1 0

1995 56 31 22 2 1

1996 45 29 14 2 0

1997 74 41 26 5 2

1998 68 40 18 8 2

1999 98 53 33 9 3

2000 85 43 35 6 1

2001 66 45 17 3 1

2002 71 47 18 6 0

2003 65 41 20 3 1

2004 59 36 19 3 1

2005 60 38 19 3 0

2006 53 25 20 8 0

2007 42 22 14 6 0

2008 37 17 17 3 0

2009 52 24 21 7 0

2010 46 28 13 5 0

Note: In 1972, the U.S. Supreme Court invalidated capital punishment statutes in several states (*Furman*

*v. Georgia*, 408 U.S. 238 (1972)), effecting a moratorium on executions. Executions resumed in 1977 when

the Supreme Court found that revisions to several state statutes had effectively addressed the issues

previously held unconstitutional (*Gregg v. Georgia*, 428 U.S. 153 (1976) and its companion cases).

aExcludes persons of Hispanic/Latino origin.

bIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, and other Pacific Islanders.

Source: BJS, National Prisoner Statistics Program.

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Table 10

**Executions, by state and method, 1977–2010**

Jurisdiction Number executed Lethal injection Electrocution Lethal gas Hanging Firing squad

U.S. total 1,234 1,060 157 11 3 3

Federal 3 3 0 0 0 0

Alabama 49 25 24 0 0 0

Arizona 24 22 0 2 0 0

Arkansas 27 26 1 0 0 0

California 13 11 0 2 0 0

Colorado 1 1 0 0 0 0

Connecticut 1 1 0 0 0 0

Delaware 14 13 0 0 1 0

Florida 69 25 44 0 0 0

Georgia 48 25 23 0 0 0

Idaho 1 1 0 0 0 0

Illinois 12 12 0 0 0 0

Indiana 20 17 3 0 0 0

Kentucky 3 2 1 0 0 0

Louisiana 28 8 20 0 0 0

Maryland 5 5 0 0 0 0

Mississippi 13 9 0 4 0 0

Missouri 67 67 0 0 0 0

Montana 3 3 0 0 0 0

Nebraska 3 0 3 0 0 0

Nevada 12 11 0 1 0 0

New Mexico 1 1 0 0 0 0

North Carolina 43 41 0 2 0 0

Ohio 41 41 0 0 0 0

Oklahoma 94 94 0 0 0 0

Oregon 2 2 0 0 0 0

Pennsylvania 3 3 0 0 0 0

South Carolina 42 35 7 0 0 0

South Dakota 1 1 0 0 0 0

Tennessee 6 5 1 0 0 0

Texas 464 464 0 0 0 0

Utah 7 4 0 0 0 3

Virginia 108 78 30 0 0 0

Washington 5 3 0 0 2 0

Wyoming 1 1 0 0 0 0

Note: In 1972, the U.S. Supreme Court invalidated capital punishment statutes in several states (*Furman v. Georgia*, 408 U.S. 238 (1972)), effecting a moratorium

on executions. Executions resumed in 1977 when the Supreme Court found that revisions to several state statutes had effectively addressed the issues

previously held unconstitutional (*Gregg v. Georgia*, 428 U.S. 153 (1976) and its companion cases).

Source: BJS, National Prisoner Statistics Program.

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Table 11

**Number of persons executed, by jurisdiction, 1930–2010**

Jurisdiction Since 1930 Since 1977

U.S. total 5,093 1,234

Texas 761 464

Georgia 414 48

New York 329 0

North Carolina 306 43

California 305 13

Florida 239 69

Ohio 213 41

South Carolina 204 42

Virginia 200 108

Alabama 184 49

Mississippi 167 13

Louisiana 161 28

Pennsylvania 155 3

Oklahoma 154 94

Arkansas 145 27

Missouri 129 67

Kentucky 106 3

Illinois 102 12

Tennessee 99 6

New Jersey 74 0

Maryland 73 5

Arizona 62 24

Indiana 61 20

Washington 52 5

Colorado 48 1

Nevada 41 12

District of Columbia 40 0

West Virginia 40 0

Federal system 36 3

Massachusetts 27 0

Delaware 26 14

Connecticut 22 1

Oregon 21 2

Utah 20 7

Iowa 18 0

Kansas 15 0

Montana 9 3

New Mexico 9 1

Wyoming 8 1

Nebraska 7 3

Idaho 4 1

Vermont 4 0

South Dakota 2 1

New Hampshire 1 0

Note: Statistics on executions under civil authority have been collected by

the federal government annually since since 1930. These data exclude 160

executions carried out by military authorities between 1930 and 1961.

Source: BJS, National Prisoner Statistics Program.

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Table 12

**Prisoners under sentence of death on December 31, 2010, by jurisdiction and year of sentencing**

Jurisdiction

Year of sentence for prisoners under sentence of death, 12/31/2010 Under

sentence of

death,

12/31/10

Average number

of years under

sentence of death

as of 12/31/10

1974–

1982

1983–

1984

1985–

1986

1987–

1988

1989–

1990

1991–

1992

1993–

1994

1995–

1996

1997–

1998

1999–

2000

2001–

2002

2003–

2004

2005–

2006

2007–

2008 2009 2010

Total 108 96 113 151 162 221 242 309 321 299 224 233 234 224 117 104 3,158 13.1

California 36 29 28 42 54 56 52 74 64 73 38 32 39 29 29 24 699 14.6

Florida 32 16 13 27 22 39 36 27 26 32 17 18 26 31 16 14 392 14.8

Texas 10 6 2 10 10 21 13 21 25 40 42 49 23 26 9 8 315 11.4

Arizona 5 4 4 11 9 12 13 7 7 1 1 12 12 12 14 9 133 12.5

Georgia 5 0 4 5 5 10 7 8 20 11 3 5 5 9 3 0 100 14.0

Nevada 4 7 5 6 5 4 4 16 7 7 0 3 3 4 2 4 81 15.8

Tennessee 4 6 9 5 6 6 1 7 11 5 10 7 3 2 3 1 86 15.7

Alabama 3 1 4 6 9 7 16 20 27 17 13 13 27 22 9 7 201 10.9

Mississippi 3 0 0 0 4 4 7 6 6 6 9 3 4 2 2 4 60 12.1

Pennsylvania 2 6 16 17 16 17 26 19 18 19 15 9 12 13 8 2 215 14.6

Kentucky 1 3 3 2 0 3 4 1 4 5 2 1 3 0 0 2 34 15.2

Missouri 1 1 2 1 0 4 1 7 7 3 4 4 5 7 2 0 49 11.4

Idaho 1 0 2 1 1 2 1 2 0 0 1 2 1 0 0 2 16 14.6

Arkansas 1 0 0 0 1 3 7 5 6 5 3 1 2 5 2 1 42 11.9

Ohio 0 9 14 10 11 11 8 19 19 9 13 10 8 8 1 7 157 14.5

Maryland 0 3 0 0 0 0 0 1 1 0 0 0 0 0 0 0 5 :

South Carolina 0 3 0 0 3 0 2 3 6 5 6 9 7 8 2 2 56 9.5

Oklahoma 0 1 1 2 1 1 2 5 9 11 6 11 8 11 2 0 71 9.6

Montana 0 1 0 0 0 1 0 0 0 0 0 0 0 0 0 0 2 :

Louisiana 0 0 3 4 1 3 4 13 18 13 7 5 5 3 3 2 84 12.1

Utah 0 0 1 1 1 1 1 2 0 1 0 0 0 1 0 0 9 :

Nebraska 0 0 1 0 0 0 0 2 0 2 1 1 2 1 1 1 12 9.1

North Carolina 0 0 1 0 2 8 28 34 25 22 11 8 9 4 2 4 158 12.6

Indiana 0 0 0 1 0 0 1 0 2 2 2 1 2 1 1 0 13 9.8

Connecticut 0 0 0 0 1 2 0 1 0 0 0 0 2 3 0 1 10 9.6

Oregon 0 0 0 0 0 3 2 4 5 5 3 4 3 2 0 3 34 10.2

Delaware 0 0 0 0 0 2 2 0 1 0 5 3 3 1 0 0 17 9.9

Washington 0 0 0 0 0 1 1 1 2 0 2 0 0 0 0 1 8 :

Federal System 0 0 0 0 0 0 2 2 4 4 6 12 13 8 4 3 58 6.7

South Dakota 0 0 0 0 0 0 1 0 1 0 0 0 0 0 0 0 2 :

Colorado 0 0 0 0 0 0 0 1 0 0 0 0 0 1 0 1 3 :

New Mexico 0 0 0 0 0 0 0 1 0 0 1 0 0 0 0 0 2 :

Virginia 0 0 0 0 0 0 0 0 0 1 1 2 3 2 0 0 9 :

Kansas 0 0 0 0 0 0 0 0 0 0 2 2 1 2 1 0 8 :

Illinois 0 0 0 0 0 0 0 0 0 0 0 5 3 5 1 1 15 4.3

Wyoming 0 0 0 0 0 0 0 0 0 0 0 1 0 0 0 0 1 :

New Hampshire 0 0 0 0 0 0 0 0 0 0 0 0 0 1 0 0 1 :

Note: For those persons sentenced to death more than once, the numbers are based on the most recent death sentence.

: Not calculated. A reliable average could not be generated from fewer than 10 cases.

Source: BJS, National Prisoner Statistics Program.

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Table 13

**Executions and other dispositions of inmates sentenced to death, by race and Hispanic origin,**

**1977–2010**

Total under sentence of

death 1977–2010b

Prisoners

executed

Prisoners who received

other dispositionsa

Race/Hispanic origin Number Percent of total Number Percent of total

Total 7,879 1,234 15.7% 3,487 44.3%

Whitec 3,816 700 18.3% 1,710 44.8%

Blackc 3,225 424 13.1 1,497 46.4

Hispanic 715 96 13.4 231 32.3

All other racesc,d 123 14 11.4 49 39.8

Note: In 1972, the U.S. Supreme Court invalidated capital punishment statutes in several states (*Furman v. Georgia*, 408 U.S. 238

(1972)), effecting a moratorium on executions. Executions resumed in 1977 when the Supreme Court found that revisions to several

state statutes had effectively addressed the issues previously held unconstitutional (*Gregg v. Georgia*, 428 U.S. 153 (1976) and its

companion cases).

aIncludes persons removed from a sentence of death because of statutes struck down on appeal, sentences or convictions vacated,

commutations, or death by other than execution.

bIncludes 5 persons sentenced to death prior to 1977 who were still under sentence of death on December 31, 2010; 374 persons

sentenced to death prior to 1977 whose death sentence was removed between 1977 and December 31, 2010; and 7,500 persons

sentenced to death between 1977 and 2010.

cExcludes persons of Hispanic/Latino origin.

dIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, and other Pacific Islanders.

Source: BJS, National Prisoner Statistics Program.

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Table 14

**Prisoners sentenced to death and the outcome of sentence, by year of sentencing, 1973–2010**

Number of prisoners removed from under sentence of death

Appeal or higher courts overturned

Year of sentence

Number

sentenced

to death Execution Other death

Death

penalty

statute Conviction Sentence

Sentence

commuted

Other or

unknown

reasons

Number under

sentence of death,

12/31/2010

Total, 1973-2010 8,221 1,234 436 522 850 1,618 369 34 3,158

1973 42 2 0 14 9 8 9 0 0

1974 149 11 4 65 15 30 22 1 1

1975 298 6 5 171 24 67 21 2 2

1976 232 14 6 136 17 42 15 0 2

1977 137 19 5 40 26 33 7 0 7

1978 185 36 7 21 36 65 8 0 12

1979 151 28 15 2 28 59 6 1 12

1980 173 45 15 4 30 52 12 0 15

1981 223 57 15 0 42 81 12 1 15

1982 267 67 23 0 40 82 12 1 42

1983 252 68 24 1 29 70 15 2 43

1984 285 69 21 2 46 73 13 8 53

1985 261 50 14 1 43 88 13 4 48

1986 301 74 25 1 50 67 14 5 65

1987 287 56 27 7 45 75 8 7 62

1988 289 59 18 1 35 73 14 0 89

1989 256 44 19 0 33 60 13 1 86

1990 251 47 19 2 36 53 17 1 76

1991 268 42 13 2 37 61 11 0 102

1992 286 45 19 0 28 54 21 0 119

1993 287 64 21 3 21 42 15 0 121

1994 313 69 12 10 34 52 15 0 121

1995 312 59 20 6 19 42 13 0 153

1996 315 41 17 4 21 61 15 0 156

1997 266 30 10 3 19 39 11 0 154

1998 294 40 10 4 22 42 9 0 167

1999 277 27 13 8 21 35 10 0 163

2000 224 23 10 4 11 31 9 0 136

2001 158 13 9 3 5 24 2 0 102

2002 165 13 4 3 2 16 5 0 122

2003 151 12 7 1 5 11 0 0 115

2004 139 2 0 1 5 12 1 0 118

2005 139 1 4 0 3 8 0 0 123

2006 125 1 2 0 5 5 1 0 111

2007 120 0 2 2 7 1 0 0 108

2008 121 0 1 0 1 3 0 0 116

2009 118 0 0 0 0 1 0 0 117

2010 104 0 0 0 0 0 0 0 104

Note: In 1972, the U.S. Supreme Court invalidated capital punishment statutes in several states (*Furman v. Georgia*, 408 U.S. 238 (1972)), effecting a moratorium on

executions. Executions resumed in 1977 when the Supreme Court found that revisions to several state statutes had effectively addressed the issues previously held

unconstitutional (*Gregg v. Georgia*, 428 U.S. 153 (1976) and its companion cases). Some inmates executed since 1977 or currently under sentence of death were

sentenced prior to 1977. For those persons sentenced to death more than once, the numbers are based on the most recent death sentence.

Source: BJS, National Prisoner Statistics Program.

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Table 15

**Number sentenced to death and number of removals, by jurisdiction and reason for removal, 1973-2010**

Number of removals, 1973-2010

Jurisdiction

Total sentenced to

death, 1973-2010 Executed Died

Sentence or conviction

overturned

Sentence

commuted

Other

removals

Under sentence of

death, 12/31/10

U.S. Total 8,221 1,234 436 2,990 369 34 3,158

Federal 69 3 0 7 1 0 58

Alabama 420 49 31 137 2 0 201

Arizona 293 24 16 112 7 1 133

Arkansas 113 27 3 39 2 0 42

California 951 13 77 147 15 0 699

Colorado 22 1 2 15 1 0 3

Connecticut 12 1 0 3 0 0 10

Delaware 56 14 0 25 0 0 17

Florida 992 69 58 453 18 2 392

Georgia 322 48 17 147 9 1 100

Idaho 42 1 3 19 3 0 16

Illinois 307 12 15 97 156 12 15

Indiana 100 20 4 55 6 2 13

Kansas 12 0 0 4 0 0 8

Kentucky 83 3 6 38 2 0 34

Louisiana 240 28 6 114 7 1 84

Maryland 53 5 3 36 4 0 5

Massachusetts 4 0 0 2 2 0 0

Mississippi 192 13 5 111 0 3 60

Missouri 182 67 10 54 2 0 49

Montana 15 3 2 6 2 0 2

Nebraska 33 3 4 12 2 0 12

Nevada 152 12 15 40 4 0 81

New Hampshire 1 0 0 0 0 0 1

New Jersey 52 0 3 33 8 8 0

New Mexico 28 1 1 19 5 0 2

New York 10 0 0 10 0 0 0

North Carolina 532 43 21 302 8 0 158

Ohio 409 41 20 173 18 0 157

Oklahoma 350 94 13 168 4 0 71

Oregon 60 2 2 22 0 0 34

Pennsylvania 401 3 26 151 6 0 215

Rhode Island 2 0 0 2 0 0 0

South Carolina 205 42 6 98 3 0 56

South Dakota 5 1 1 1 0 0 2

Tennessee 222 6 16 107 5 2 86

Texas 1,049 464 41 173 55 1 315

Utah 27 7 1 9 1 0 9

Virginia 150 108 6 15 11 1 9

Washington 39 5 1 25 0 0 8

Wyoming 12 1 1 9 0 0 1

Percent of inmates

sentenced to death,

1973-2010 100% 15.0% 5.3% 36.4% 4.5% 0.4% 38.4%

Note: In 1972, the U.S. Supreme Court invalidated capital punishment statutes in several states (*Furman v. Georgia*, 408 U.S. 238 (1972)), effecting a moratorium on

executions. Executions resumed in 1977 when the Supreme Court found that revisions to several state statutes had effectively addressed the issues previously held

unconstitutional (*Gregg v. Georgia*, 428 U.S. 153 (1976) and its companion cases). Some inmates executed since 1977 or currently under sentence of death were

sentenced prior to 1977. For those persons sentenced to death more than once, the numbers are based on the most recent death sentence.

Source: BJS, National Prisoner Statistics Program.

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